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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/471,689	12/23/1999	SELMER CONRAD BRINGSJORD	YO999-507	7822

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EXAMINER
BOOKER, KELVIN E

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 04/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-31* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) *26-28 and 31* is/are allowed.

6) ☒ Claim(s) *1,11-13,21-25,29 and 30* is/are rejected.

7) ☒ Claim(s) *2-10 and 14-20* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .		6) ☒ Other: *Detailed Office Action* .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 11-13, 21-25, 29 and 30** are rejected under 35 U.S.C. 102(b) as being anticipated

by Steiner et al., "Graphic StoryWriter: An Interactive Environment for Emergent Storytelling"

[hereafter Steiner].

As per claim 1, Steiner teaches of a method of automatically generating a story,

comprising:

A. selecting a theme of said story (see abstract; figure one; and section: *User Interface* on

page 358: user selecting story theme and setting);

B. examining elements of said theme and instantiating said theme (see figures two and

three; and section: *User Interface* on pages 358 and 359: generating theme environment and

elements corresponding to that environment); and

C. using said theme to select and control other aspects of the story generation (see figures

two through five; and section: *User Interface* on page 359; and section: *Managing Story*

Structures on page 360).

As per claim 11, Steiner teaches of a method wherein a user selectively constrains said process at any of a plurality of predetermined steps of said process, such that said user may select a theme from a database of themes and a plot from a plot database, such that user can anchor the story to said choices made by the user (see section: User Interface on page 359: User can customize scenarios within custom themes).

As per claim 12, Steiner teaches of a method wherein said theme is selected from a plurality of themes stored in a database (see figure one).

As per claim 13, Steiner teaches of a method wherein said theme is captured such that said theme influences other processes but are independent of said processes of the story generation (see section: User Interface on page 359: User can customize scenarios within custom themes).

As per claim 21, Steiner teaches of a method wherein said story generation is theme-based such that said theme is selected first to constrain choices made in generating said story and to ensure that said story is about said theme (see section: *User Interface* on page 358 and 359).

As per claim 22, Steiner teaches of a method further comprising:

using literary devices in generating said story so as to influence a literary style of said story (see figure 3: use of pop-up windows).

As per claim 23, Steiner teaches of a method wherein said literary devices include a choice of words and phrase used in conveying events of said story to convey a psychological consciousness of a character of said story (see section: *User Interface* on page 359; and figure 3: use of pop-up windows for character attributes).

As per claim 24, Steiner teaches of a method wherein said literary devices are keyed to said theme (see figure 3; and section: *User Interface* on page 359).

As per claim 25, Steiner teaches of a method further comprising:

providing user interface points at predetermined positions of a sequence of said story generation, such that said user selectively provides an input to constrain an aspect of said story generation (see figure 3; and section: *User Interface* on page 359; and section: *Managing Story Structures* on page 360).

As per claims 29 and 30, the same limitations are subjected to in claim one, therefore the same rejections apply (see claim one above).

Allowable Subject Matter

3. **Claims 26-28 and 31** are allowed.

4. **Claims 2-10 and 14-20** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

the cited prior art, either singly or in combination, fails to explicitly teach of a method wherein elements of the theme are expound upon in a simulation engine to further generate a plot which employs knowledge generated characteristics, relationships and events.

Conclusion

5. An inquiry concerning this communication or earlier communications from the examiner

should be directed to Kelvin Booker whose telephone number is (703) 308-4088. The examiner

can normally be reached on Monday-Friday from 7:00 AM-5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas Black, can be reached on (703) 305-9707. The fax number for the

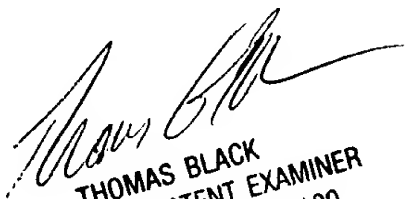organization where this application or proceeding is assigned is (703) 746-7239.

An inquiry of a general nature or relating to the status of this application proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

K.E.B.

Art Unit 2121

April 3, 2002

THOMAS BLACK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100